

# County Council of Howard County, Maryland

2011 Legislative Session

Legislative day # 8

## RESOLUTION NO. 112 - 2011

Introduced by: The Chairperson at the request of Emerson Development LLCs

A RESOLUTION to close a portion of Sterling Drive, as shown in Exhibits A and B, in accordance with Section 18.204 of the Howard County Code; and providing that the costs of the closing will be paid by one or more developers.

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Introduced and read first time on July 5, 2011.

By order Stephen LeGendre  
Stephen LeGendre, Administrator to the County Council

Read for a second time and a public hearing held on July 18, 2011.

By order Stephen LeGendre  
Stephen LeGendre, Administrator to the County Council

This Resolution was read the third time and was Adopted ☒, Adopted with amendments ☐, Failed ☐, Withdrawn ☐ by the County Council on July 28, 2011.

Certified by Stephen LeGendre  
Stephen LeGendre, Administrator to the County Council

NOTE: ~~[[text in brackets]]~~ indicates deletions from existing language; TEXT IN ALL CAPITALS indicates additions to existing language. Strike-out indicates material deleted by amendment; Underlining indicates material added by amendment.

1           **WHEREAS**, Section 18.204 of the Howard County Code provides for the closure of an  
2 existing county road by adoption of a County Council Resolution; and

3           **WHEREAS**, Emerson Development II LLC, Emerson Development III LLC, Emerson  
4 Development IV LLC, Emerson Development V LLC, Emerson Development VI LLC and  
5 Emerson Development VII, LLC (“Emerson Development LLCs”) have petitioned the Howard  
6 County Council in accordance with Section 18.204; and

7           **WHEREAS**, The portion of the road to be closed, Sterling Drive, is more particularly  
8 described in Exhibit A and shown on the attached plat identified as Exhibit B; and

9           **WHEREAS**, Howard County, Maryland, is the fee simple owner of Sterling Drive by  
10 deed dated December 27, 2005, and recorded in the Land Records of Howard County, Maryland  
11 in Liber 9749, Folio 684 and deed dated May 19, 2007, and recorded in the Land Records of  
12 Howard County, Maryland, in Liber 11235, Folio 84; and

13           **WHEREAS**, A portion of Sterling Drive must be closed to accommodate the security  
14 requirements for additional development on the adjacent property owned by Emerson  
15 Developments LLC; and

16           **WHEREAS**, There are no connecting streets along the portion of Sterling Drive that is  
17 proposed to be closed; and

18           **WHEREAS**, The Departments of Public Works, Planning and Zoning, Police, and Fire  
19 and Rescue Services have each reviewed the proposal to close this portion of Sterling Drive and  
20 each has determined the closure will not affect public safety, the traffic network, or public  
21 convenience; and

22           **WHEREAS**, Either Howard County or one of the Emerson Development LLCs will own  
23 all of the land adjacent to the proposed closed portion of Sterling Drive; and

1       **WHEREAS**, Notice of the proposed closing and abandoning of Sterling Drive has been  
2 posted and advertised and the adjoining property owners have been notified; and

3       **WHEREAS**, One of the Emerson Development LLCs, will fund the closure of a portion  
4 of Sterling Drive and the design and construction of the new terminus of Sterling Drive, as  
5 described and shown in Exhibits A and B, in accordance with all applicable Howard County  
6 standards and specifications.

7       **NOW, THEREFORE, BE IT RESOLVED** By the County Council of Howard County,  
8 Maryland this 28<sup>th</sup> day of July, 2011 that, in accordance with Section 18.204 of  
9 the Howard County Code, the closure of a portion of Sterling Drive as shown on Exhibits A and  
10 B will not adversely affect public safety, the traffic network, or public convenience.

11       **BE IT FURTHER RESOLVED**, That a portion of Sterling Drive, described and shown  
12 in Exhibits A and B, is no longer needed as a public road and shall be closed.

13       **BE IT FURTHER RESOLVED**, That one of the Emerson Development LLCs shall  
14 bear all of the costs and expenses associated with closure of a portion of Sterling Drive and the  
15 design and construction of the new terminus of Sterling Drive, as described and shown in  
16 Exhibits A and B, in accordance with all applicable Howard County standards and specifications.

A

**DMW**  
DAFT MCCUNE WALKER INC

**Description**

**2.436 Acre Parcel**

**A Portion of Sterling Drive**

**To Be Closed**

**6<sup>th</sup> Election District**

**Howard County, Maryland**

Beginning for the same at a point situate on the western right-of-way line of Sterling Drive as laid out and shown on a plat entitled, "Revitz Property Parcels A through R and Open Space Parcels I through R, Sheet 5 of 6" dated January 27, 2003 and recorded among the Land Records of Howard County as Plat No. 15787, said point of being distant 35.47 feet Southeasterly from a point being known and designated as No. RW24 as shown on said plat, thence leaving said point of beginning, referring all courses of this description to the Maryland Coordinate System (NAD 83/1991) and running with and binding on said Sterling Drive right-of-way, (1) Northwesterly by a line curving to the right, having a radius of 630.00 feet, for a distance of 35.47 feet (the arc of said curve being subtended by a chord bearing North 20 degrees 57 minutes 51 seconds West 35.46 feet) to said Point RW24, thence continuing with the western right-of-way line of said Sterling Drive (2) Northwesterly by a line curving to the left, having a radius of 570.00 feet, for a distance of 242.68 feet (the arc of said curve being subtended by a chord bearing North 31 degrees 32 minutes 55 seconds West 240.85 feet) to Point RW25 as laid out on said plat, thence (3) North 43 degrees 44 minutes 45 seconds West 99.65 feet, thence (4) Northwesterly by a line curving to the right, having a radius of 630.00 feet, for a distance of 241.13 feet

(the arc of said curve being subtended by a chord bearing North 32 degrees 47 minutes 03 seconds West 239.66 feet), thence (5) North 21 degrees 49 minutes 10 seconds west 370.86 feet, thence (6) Northwesterly by a line curving to the left, having a radius of 570.00 feet, for a distance of 277.75 feet (the arc of said curve being subtended by a chord bearing North 35 degrees 46 minutes 43 seconds West 275.01 feet), thence (7) North 49 degrees 44 minutes 17 seconds West 337.49 feet to a point being known and designated as RW30 as laid out and shown on a plat dated January 26, 2010 and recorded among the aforesaid land records as Plat No. 20960, thence continuing with the right-of-way of Sterling Drive, (8) Northeasterly by a line curving to the right, having a radius of 61.00 feet, for a distance of 263.68 feet (the arc of said curve being subtended by a chord bearing North 74 degrees 05 minutes 42 seconds East 101.34 feet), thence (9) Southeasterly by a line curving to the left, having a radius of 39.00 feet, for a distance of 46.06 feet (the arc of said curve being subtended by a chord bearing South 15 degrees 54 minutes 15 seconds East 43.43 feet), thence (10) South 49 degrees 44 minutes 17 seconds East 244.99 feet, thence (11) Southeasterly by a line curving to the right, having a radius of 630.00 feet, for a distance of 306.98 feet (the arc of said curve being subtended by a chord bearing South 35 degrees 46 minutes 43 seconds East 303.95 feet), thence (12) South 21 degrees 49 minutes 10 seconds East 370.86 feet, thence (13) Southeasterly by a line curving to the left, having a radius of 570.00 feet, for a distance of 218.13 feet (the arc of said curve being subtended by a chord bearing South 32 degrees 46 minutes 57 seconds East 216.80 feet), thence (14) South 43 degrees 44 minutes 45 seconds East 99.65 feet, thence (15) Southeasterly by a line curving to the right, having a radius of 630.00 feet, for a distance of 268.23 feet (the arc of said curve being subtended by a chord bearing South 31 degrees 32 minutes 55 seconds East 266.21 feet) to a point being known and designated as Point No. 26 as laid out and shown on a plat dated December 5, 2006 and entitled "Revitz Property Parcels D-1 and E1" and recorded among the aforesaid land records as Plat No. 18685, thence continuing

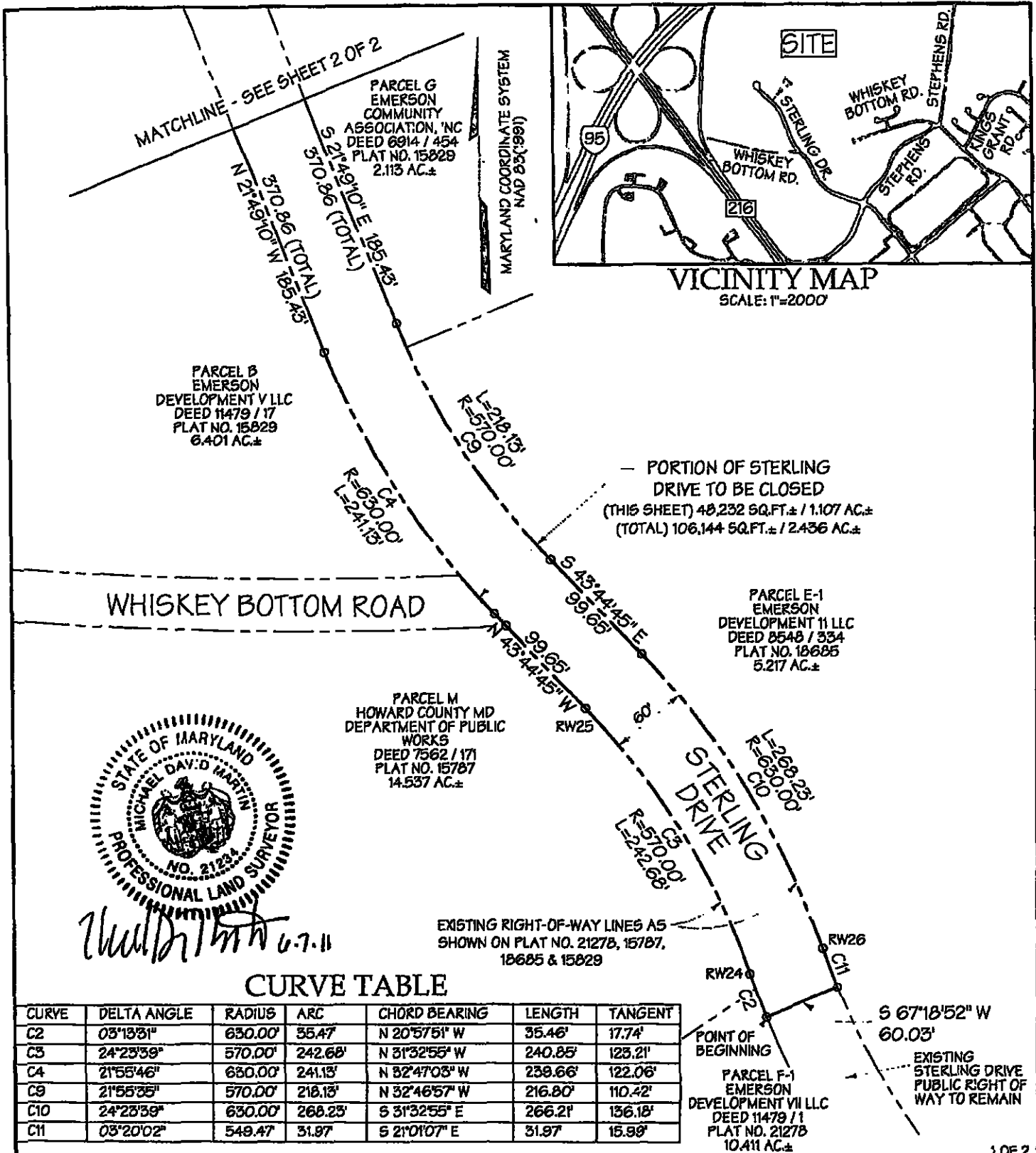
with Sterling Drive (16) Southeasterly by a line curving to the left, having a radius of 549.47 feet, for a distance of 31.97 feet (the arc of said curve being subtended by a chord bearing South 21 degrees 01 minute 07 seconds East 31.97 feet), thence leaving said right-of-way line and running across Sterling Drive (17) South 67 degrees 18 minutes 52 seconds West 60.03 feet to the point of beginning; containing 106,144 square feet or 2.436 acres of land, more or less, as now described by Daft-McCune-Walker on May 19, 2011.

May 19, 2011

Project No. 95054.4A-1 (L95054.4S-1)



B



**EXHIBIT PLAT  
SHOWING CLOSING OF A PORTION OF  
STERLING DRIVE**

**DMW**

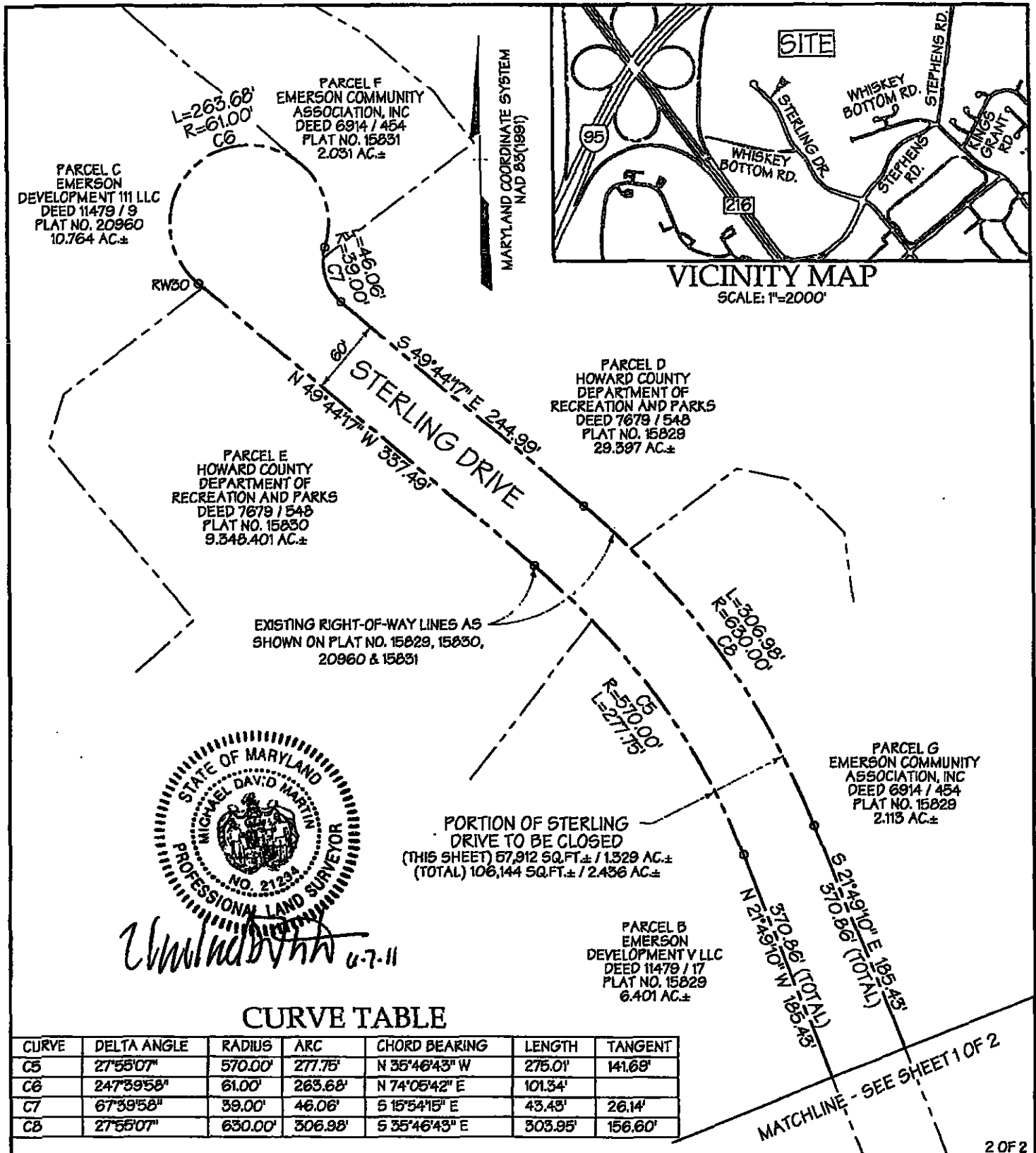
DAFT MCCUNE WALKER INC

290 EAST PENNSYLVANIA TOWSON, MD 21206  
P: 410 288 3333 F: 410 288 4783 WWW.DMW.COM

A TEAM OF LAND PLANNERS, LANDSCAPE ARCHITECTS,  
ENGINEERS, SURVEYORS & ENVIRONMENTAL PROFESSIONALS

Field Crew: Scale: 1"=100' Date: 06-17-2011  
Drawn by: R.C. Checked by: M.D.M. Job No.: 05054.46

B



**EXHIBIT PLAT**  
**SHOWING CLOSING OF A PORTION OF**  
**STERLING DRIVE**

6TH ELECTION DISTRICT

HOWARD COUNTY, MARYLAND

DMW

DAFT MCCUNE WALKER INC

200 EAST PENNSYLVANIA TOWSON, MD 21286  
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ENGINEERS, SURVEYORS & ENVIRONMENTAL PROFESSIONALS

Field Crew:

Scale: 1"=100'

Date: 05-17-2011

Drawn by: R.C.

Checked by: M.D.M.

Job No.: 95054.45